

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**NATIONAL MARINE INSURANCE
AGENCY LIMITED; VERO
INSURANCE LIMITED, trading as
VERO NATIONAL MARINE, as
Subrogee of JOSSCO AUSTRALIA
PTY, LTD,**

Plaintiff,

v.

AG PROCESSING, INC.,

**Defendant and
Third-Party Plaintiff,**

v.

**KINDER MORGAN BULK
TERMINALS, INC.,**

Third-Party Defendant.

CASE NO. 8:05CV79

ORDER OF DISMISSAL

This matter is before the Court on the Plaintiffs' motion for voluntary dismissal and the Third-Party Plaintiff's motion for voluntary dismissal, both of which are based on the parties' stipulation of dismissal with prejudice. (Filing No. 179, p. 3). The stipulation complies with the requirement of Fed. R. Civ. P. 41(a)(1)(ii), and the Court finds that the motions should be granted. Accordingly,

IT IS ORDERED:

1. The Plaintiffs' Motion for Voluntary Dismissal (Filing No. 179, p.1) is granted;
2. The Third-Party Plaintiff's Motion for Voluntary Dismissal (Filing No. 180) is granted;

3. The Second Amended Complaint (Filing No. 126), the Third-Party Complaint (Filing No. 135), all claims, counterclaims, and third-party claims of whatever kind, are dismissed with prejudice;
4. The parties will pay their own costs; and
5. The parties will pay their own attorney's fees unless otherwise agreed by and between them in writing.

DATED this 11th day of September, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge